

**U.S. Department of Justice
United States Marshals Service**

PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form.

PLAINTIFF	United States	COURT CASE NUMBER Cr. No. 06-66/03-495 DAE
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DEFENDANT	Albert Powell, III	TYPE OF PROCESS Prelim Order of Forfeiture
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SERVE	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN	
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ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

AT

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:	Number of process to be served with this Form - 285	AUG 12 2008
Rachel S. Moriyama, AUSA 300 Ala Moana Blvd., Rm 6-100 DOJK Federal Building Honolulu, HI 96850	at o'clock and min.	SUE BEITIA, CLERK M.
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold

Fold

Please publish the attached Preliminary Order of Forfeiture for three (3) consecutive weeks in the Honolulu Star-Bulletin and file proof of publication with the Court.

CASE No. 03-FBI-004361

Signature of Attorney or other Originator requesting service on behalf of: <i>Lor-Dell VanDeren</i>	<input checked="" type="checkbox"/> PLAINTIFF	TELEPHONE NUMBER 808-541-2850	DATE 7/3/2008
	<input type="checkbox"/> DEFENDANT		

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 1	District of Origin No. 31	District to Serve No. 32	Signature of Authorized USMS Deputy or Clerk <i>J. Moore</i>	Date 7/3/08
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I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.
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Address (complete only if different than shown above)	Date of Service 8/8/08	Time 2:44 pm
	Signature of U.S. Marshal or Deputy <i>John Moore</i>	

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
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REMARKS:

Publication dates in the Honolulu Star-Bulletin:

07/18, 07/25, 08/01/2008

NOTE

IN THE MATTER OF
CR. NO. 06-00066 AND
CR. NO. 03-00495-06 DAE
UNITED STATES OF AMERICA,
Plaintiff,
v.

STATE OF HAWAII }
City and County of Honolulu } SS.

Doc. Date:	AUGUST 05, 2008	# Pages:	1
Notary Name:	PATRICIA K. REESE 1 ST JUDICIAL Circuit		
Doc. Description:	AFFIDAVIT OF PUBLICATION		
Patricia K. Reese 08/04/08		Date	
Notary Signature	 PATRICIA K. REESE NOTARY PUBLIC Comm. No. 86-467 STATE OF HAWAII		

Rose Mae Rosales being duly sworn, deposes and says that she is a clerk, duly authorized to execute this affidavit of MidWeek Printing, Inc. publisher of MidWeek and the Honolulu Star-Bulletin, that said newspapers are newspapers of general circulation in the State of Hawaii, and that the attached notice is true notice as was published in the aforementioned newspapers as follows:

Honolulu Star-Bulletin 3 times on:
07/18, 07/25, 08/01/2008

Midweek Wed. 0 times on:

Midweek Fri. 0 times on:

times on:

And that affiant is not a party to or in any way interested in the above entitled matter.

Rose Mae Rosales

Subscribed to and sworn before me this 5th day

of August A.D. 20 08

Patricia K. Reese, Notary Public of the First Judicial Circuit, State of Hawaii

My commission expires: October 07, 2010

Ad # 0000052411

2008 AUG - 8 PM 2:44

AFFIDAVIT OF PUBLICATION

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

AUG 12 2008

at 2 o'clock and 5 min M.
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA, Plaintiff, v. ALBERT POWELL, III,
Defendant. Cr. No. 06-00066 and Cr. No. 03-00495-06 DAE.

NOTICE IS HEREBY GIVEN that on June 30, 2008, in the above-captioned case, the United States District Court for the District of Hawaii entered a Preliminary Order of Forfeiture condemning and forfeiting the interest of Albert Powell, III, in the below listed property and condemning and forfeiting the property to the United States of America:

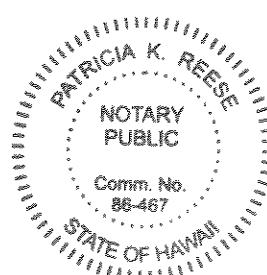
Twelve Thousand Dollars (\$12,000.00) in
United States Currency.

YOU ARE HEREBY NOTIFIED that the United States intends to dispose of this property in such manner as the United States Attorney General may direct. Pursuant to 21 U.S.C. § 853, neither a defendant in the above case nor his agent is entitled to file a petition. If you have a legal interest in this property, within thirty (30) days of the final publication of this notice or of receipt of actual notice, whichever is earlier, you must petition the United States District Court for the District of Hawaii, 300 Ala Moana Boulevard, Room C-338, Honolulu, Hawaii 96850, for a hearing to adjudicate the validity of your alleged legal interest in this property. If a hearing is requested, it shall be held before the Court alone, without a jury. A copy of the petition should be served on Assistant United States Attorney, Rachel S. Moriyama, 300 Ala Moana Boulevard, Room 6-100, Honolulu, Hawaii 96850.

THE PETITION must be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of your right, title and interest in the forfeited property, the time and circumstances of your acquisition of the right, title or interest in this property, and any additional facts supporting your claim and the relief sought pursuant to 21 U.S.C. § 853(n).

Following the Court's disposition of all petitions filed, or if no such petitions are filed, following the expiration of the period specified above for the filing of such petitions, the United States shall have clear title to the property and may warrant it to any subsequent purchaser or transferee.

Please check www.forfeiture.gov for a listing of all judicial forfeiture notices as newspaper publication of judicial forfeiture notices will be discontinued in the near future.
(8852411 7/18, 7/25, 8/1/08)



LN: _____